



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

THE  
AMERICAN  
LAW REGISTER.

---

---

JUNE, 1886.

---

---

NEW SERIES.

VOLUME 25—No. 6.

---

**EDITORS.**

Hon. James T. Mitchell, Philadelphia.  
Hon. Edmund H. Bennett, Boston, Mass. | Hon. Thos. M. Cooley, Ann Arbor, Mich.  
Hon. Eli S. Hammond, Memphis, Tenn. | Hon. Chas. H. Wood, Chicago, Illinois.  
Frank P. Prichard, Esq., Philadelphia.

---

PHILADELPHIA:  
D. B. CANFIELD & CO., No. 229 SOUTH SIXTH ST.

1886.

 **Lock-Box 973.**

**TERMS FIVE DOLLARS PER ANNUM.**

# CONTENTS, JUNE No., 1886.

## VOL. 25, NEW SERIES, No. 6.

The Competency, as Witnesses, of Husband and Wife . . . . .	353
The Effect of a Recent Decision on the Law of Marine Insurance . . . . .	365

### RECENT AMERICAN DECISIONS.

#### *U. S. Circuit Court E. D. Wisconsin.*

<i>Crandal v. Accident Ins. Co.</i> —Life insurance—Accident policy—Clause excepting death by suicide, or injuries self inflicted, or disease—Taking of own life while insane not within such clause, but within clause insuring against death through accidental and violent means—Remote cause—Immediate cause only considered—Application differing from policy not considered part thereof—Opinion by DYER, J. . . . .	373
Note . . . . .	386

#### *Supreme Court of Minnesota.*

<i>Hammond v. Peyton</i> —Lien of vendor of real estate for price—Not assignable with the debt—Restriction of as against policy of law—Opinion by BERRY, J. . . . .	390
Note . . . . .	393

#### *Supreme Court of Illinois.*

<i>Kelley v. People</i> —Constitutional law—Validity of statute providing increased penalties for second offence—Construction of statute as to character of offence—Right of trial by jury—Waiver of right by accused—Conviction erroneous, but not void—Opinion by SHELDON, J. . . . .	397
Note . . . . .	402

### ABSTRACTS OF RECENT DECISIONS.

#### *Supreme Court of the United States.*

#### *Supreme Court of Illinois.*

#### *Supreme Court of New Hampshire.*

#### *Supreme Court of Ohio.*

#### *Supreme Court of South Carolina.*

Advancement . . . . .	404	Evidence . . . . .	406	Partnership . . . . .	411
Arbitration . . . . .	405	Fraud . . . . .	407	Patent . . . . .	411
Attachment . . . . .	405	Husband and Wife . . . . .	407	Pleading . . . . .	412
Bank . . . . .	405	Infant . . . . .	407	Power . . . . .	412
Bankruptcy . . . . .	405	Insurance . . . . .	407	Presumption . . . . .	412
Bills and Notes . . . . .	405	Limitations, Statute of . . . . .	408	Railroad . . . . .	412
Corporation . . . . .	405	Mandamus . . . . .	409	Surety . . . . .	412
Customs Duties . . . . .	406	Master and Servant . . . . .	409	Taxation . . . . .	412
Damages . . . . .	406	Mortgage . . . . .	409	Trust . . . . .	413
Decedent's Estates . . . . .	406	Municipal Corporation . . . . .	410	Vendor and Vendee . . . . .	413
Errors and Appeals . . . . .	406	Negligence . . . . .	411	Will . . . . .	414
List of New Law Books . . . . .					415

Entered according to Act of Congress, in the year 1886, by D. B. CANFIELD & Co., in the Office of the Librarian of Congress, at Washington.